

**COMMUNITY-BASED TEENAGE PREGNANCY REDUCTION PROJECTS
REQUEST FOR PROPOSALS
SFY 2008**



**KANSAS DEPARTMENT OF HEALTH & ENVIRONMENT
BUREAU FOR CHILDREN, YOUTH & FAMILIES
CHILDREN & FAMILIES SECTION
CURTIS STATE OFFICE BUILDING
1000 SW JACKSON, SUITE 220
TOPEKA, KANSAS 66612-1274**

TABLE OF CONTENTS

1.0	GENERAL INFORMATION.....	3
2.0	COMMUNITY-BASED TEEN PREGNANCY REDUCTION PROGRAM REQUIREMENTS	4
3.0	REPORTING REQUIREMENTS.....	8
4.0	CONTRACTUAL REQUIREMENTS	8
5.0	APPLICATION SUBMISSION/REVIEW PROCESS	9
	ATTACHMENT I.....	12
	ATTACHMENT II.....	15
	ATTACHMENT III.....	19
	ATTACHMENT IV	21

1.0 GENERAL INFORMATION

1.1 Introduction

This application guidance is to inform potential applicants of the availability of funds to support grants for the purpose of developing Community-Based Teenage Pregnancy Reduction projects. Application for the state fiscal year (SFY) 2008 initiative is based on continued availability of funding; this contract may be renewed for SFY 2009 and 2010.

Under this initiative, grants are awarded to local community agencies to support the development of Community-Based Teenage Pregnancy Reduction projects for teens. The overall goal of this program is to lower the pregnancy rate among teenagers, and help teens achieve their full potential through a positive youth development approach in various and select State localities where teenagers are most at-risk for pregnancy (K.S.A. 65-1,158) *Attachment I*.

1.2 Purpose

For Kansas's residents, 2004, the pregnancy rate/1,000 females (ages 10-17) was 10.3/1,000. This rate has decreased 36% in the last 10 years from 16.1/1,000 in 1995. However, racial and ethnic disparities continue to be a public health problem. The most current Kansas vital records data (2004) indicates that white females (ages 10-17) had a pregnancy rate of 9.3/1,000, while black or African American females had a rate of 20.1/1,000 and Hispanic females had a rate of 22.9/1,000. Children of teen parents are more at risk for low birth weight, health problems, school failure and juvenile delinquency. They are also more likely to become teen parents themselves. Teen mothers are less likely to finish high school and are more likely to earn low wages and require some form of government program assistance.

Among Kansas's high school students completing the YRBS survey in 2005, 44.8% reported they ever had sexual intercourse and of these students, 67.9% reported they used a condom during last sexual intercourse and 21.2% reported they used birth control pills for prevention of pregnancy. The majority, 55.2% of the students reported they had not had sexual intercourse. As Kansas continues with YRBS data, better information will be available about where to direct resources to make a greater impact on Kansas's teen birth rates.

The Community-Based Teenage Pregnancy Reduction project (K.S.A. 65-1,158. *See attachment I*) is based on the premise that community-driven strategies are needed to address the causes of teen pregnancy. Effective programs are outlined in The National Campaign to Prevent Teen Pregnancy web site:

http://www.teenpregnancy.org/resources/reading/pdf/What_Works.pdf

1.3 Funding and Grant Period

- 1.3.1 Fiscal Year 2008 State General Funds in the amount of \$356,694 are available for this program.
- 1.3.2 The grant period will be July 1, 2007 to June 30, 2008. Up to eight grants will be awarded. Continuation of grant funding for an additional two fiscal years will be contingent on the local project meeting their outcome goals and complying with all contract and administrative requirements.
- 1.3.3 Local matching funds must be equal to or greater than 30% of grant funds awarded. This may be satisfied on a cash or in-kind basis from private or public sources, including resources from the Department of Education for at risk pupil assistance. (For example, if an agency requests \$70,000 in funding for this project, the agency must contribute \$21,000 from cash or in kind sources – such as a “local share” to bring total project cost to \$91,000.) Federal funds cannot be used as a local Match.

1.4 Eligible Applicants

This is a competitive grant application process. It is the intent of KDHE to award the contract to not-for-profit entities with documented experience and capacity to provide services that will reduce the Kansas teen pregnancy rate. Communities and counties that can demonstrate need, will be given first priority. Community need, will be determined by teen pregnancy rates for previous five years, poverty rates, Hispanic birth rates, Black birth rates, and/or percentage of births to mothers with less than 12 years of education (*Attachment II*).

2.0 **COMMUNITY-BASED TEEN PREGNANCY REDUCTION PROGRAM REQUIREMENTS**

2.1 General Requirements

The following is an outline of project requirements and a guide for development of the grant application:

- 2.1.1 Services are provided to males and females who are 10 through 17 years of age.
- 2.1.2 The model program to decrease the teen pregnancy rate of the target population will:
 - Incorporate a youth development philosophy into its programming
 - Incorporate youth to make decisions about and provide feedback on the program, in a way that is appropriate to their ages
 - Incorporate comprehensive and age appropriate information, guidance and referrals about relationships, sexuality and pregnancy prevention
 - Integrate community values, morals and standards into the education message
 - Serve a continuous, recurring population of young people so that teens build strong relationships with adult staff and teachers

- Provide innovative and constructive activities for teens
- Make a three year commitment to the program
- Develop a plan to sustain the program after grant funding ends
- Demonstrate methods for recruiting, selecting and training the community and teen member participants
- Develop comprehensive media campaign which targets teens and their families
- Develop strong parent, teen education programs with emphasis on communication between parents and teens.

2.2 Project Area Needs Assessment

2.2.1 Define the population and the project areas to be targeted for this grant (refer to prior needs assessment if applicable). This should include:

- Geographic description of project area;
- Project area map; and
- Demographics of project area.

2.2.2 Disparity issues in the project area including but not limited to:

- Teen pregnancy rates for previous five years
- Poverty rates
- Hispanic teen birth rates
- Black teen birth rates
- Percentage of births to mothers with less than 12 years of education

2.3 Problem Statement

Based on the needs assessment and disparity issues, provide a problem statement that summarizes the needs of the target population in relation to the identified disparities and the teen pregnancy rate.

2.4 Proposed Project Plan

The proposed project plan must be based on the community's needs.

2.4.1 Advisory Group

The advisory group will provide advice regarding program direction, participate in decisions related to allocation and management of project resources, and share responsibility for the identification and maximization of resources and community ownership to sustain project services.

The advisory group will be comprised of individuals from the following:

- Parents
- School personnel
- Minority population groups
- Clergy
- Religious laypersons
- Public health agency personnel
- Civic groups
- Public officials
- Health care provider professional groups
- News media agencies
- A minimum of two teenagers

Though all groups do not have to be represented on the advisory committee, completeness of membership shall reflect ability of grantee to perform within the targeted area and its ability to build community partnerships.

Provide a list of advisory committee members and their representative agencies.

Advisory group shall meet on a quarterly basis. Attendance and notes shall be taken at each meeting. Activities of the advisory committee shall be incorporated into the annual project report.

In cases where a community consortium with similar goals of reducing teen pregnancy rates in the target population already exists, provide a list and description of its members, a brief history of the group, and the grantee's role in existing group efforts.

2.4.2 Community-Based Teenage Pregnancy Reduction Program Curriculum and Organization Description

Describe the curriculum that you propose to use. Provide information on who developed it and for whom, its success, and how it fits with your grant's target audience and needs of the community.

Provide a detailed description of your organization and how the Community-Based Teenage Pregnancy Reduction project fits within it. Explain how your organization is customized towards the needs of the community. Along with the organization's description, provide the following:

- Applicant's capacity, capabilities, and projected service utilization
- Describe expertise of personnel
- Where applicable, describe supervision and training of staff
- Describe organization's experience and reliability.

2.4.3 Program Objectives

The applicant must set objectives in each of the following areas:

- Number of teens the program will serve
- Number of community members that will be trained
- Outcome measures specific to your community
- Measure for the intervention effectiveness, in terms of reduction of pregnancy rates for the community
- Measure of the processes of the interventions

2.5 Specific Requirements

2.5.1 Grantee must address culturally competence and provision of culturally competent services in the application.

2.5.2 Grantees will identify funding they receive and existing teen pregnancy programs in their communities and coordinate efforts to reduce duplication of services.

2.5.3 Grantee will attend annual training workshop provided by the KDHE program manager.

2.5.4 Technical Assistance

Technical assistance for potential grantees will be available through March 31, 2007. Contact the program manager: Jane Stueve at jstueve@kdhe.state.ks.us or 785-296-1308.

2.5.6 Program Evaluation

Program outcome evaluation shall be conducted based on local project submission of outcome measurement reports and may include an annual on-site visit/review by the KDHE program manager. Local projects will be required to attend the annual program evaluation meeting and provide a brief presentation of their project's achievements.

2.5.7 Budgeting

Applicant will include travel expenses to cover a maximum of two trips to Topeka in their budget.

3.0 REPORTING REQUIREMENTS

3.1 Fiscal and Program Narrative Report Submission

All fiscal and narrative reports are to be mailed to:
Kevin Shaughnessy, Accountant
Internal Management/Accounting Services, *Attachment III*

3.2 Fiscal Reports

3.2.1 For FY 2008, grantee will submit quarterly to KDHE an “Affidavit of Revenues and Expenditures” to document grant and local matching fund expenditure.

3.2.2 Expenses are to be itemized as they relate to the budget that will be appended to the grant contract. An electronic copy of this form is available at http://www.kdhe.state.ks.us/doc_lib/index.html as Form #7 (# 7 Affidavit of Revenues and Expenditures: (.xls)) under “Grant/Contract Reporting Instruction SFY2007.

3.3 Quarterly Reports

Quarterly reports will be submitted with data for 2.4.3 Program Objectives and dates of the Advisory Group meetings.

3.4 Program Narrative and Survey Reports

Annual narrative report will be submitted within thirty days after the end of the contract period.

4.0 CONTRACTUAL REQUIREMENTS

4.1 Contractual Provisions

Note: The following information is an abbreviated overview of the contractual provisions and should not be interpreted as the full language of any contract relating to the Community-Based Teenage Pregnancy Reduction Program.

4.1.1 Applicant is referred to the State of Kansas, Department of Administration’s DA-146a, “Contractual Provisions Attachment”. *Attachment IV*

4.1.2 Grantee will agree to obtain an audit in accordance with the Federal Single Audit Act of 1984 and OMB Circular No. A-133, Audits of States, Local Governments and Non-Profit Organizations, and submit a copy of the single agency audit report to the State Agency.

- 4.1.3 Grantee will permit access, upon written request, to the Secretary of KDHE or Kansas Legislative Post Audit, to any local agency documents and other records necessary to certify compliance with State Agency Grant Awards, Kansas Legislative Appropriations, Kansas Statute and Federal Grant Acts and Regulations.
- 4.1.4 Grantee will hold confidential all personal client information obtained or received from recipients of services under this contract and agrees not to disclose client information except in statistical, summary or other forms that do not identify individual clients.
- 4.1.5 Grantee agrees to comply with all relevant federal requirements including, but not limited to: Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act of 1973, Title IX of the Educational Amendments of 1972, Title VII of the Civil Rights Act of 1964, Recipient Certification requirements of the Drug Free Workplace Act of 1988, Federal Anti-Lobbying Act of 1990, the Federal Pro-Children Act of 1994 and to submit a signed certification regarding environmental tobacco smoke to KDHE, which will be incorporated by reference in the contract.
- 4.1.6 Grantee will agree to comply with Kansas's statutes, rules and regulations pertaining to public health.
- 4.1.7 Grantee will not use grant funds to supplant other Local Agency (i.e., federal) funds.

5.0 APPLICATION SUBMISSION/REVIEW PROCESS

5.1 Application Submission

- 5.1.1 Applications must be received by KDHE, Topeka, **BY 4 P.M., THURSDAY, APRIL 5, 2007.**
- 5.1.2 Applications may be hand delivered or mailed to:

Children and Families Section
Attn: Community-Based Teen Pregnancy Reduction Program
Kansas Department of Health and Environment
1000 SW Jackson, Suite 220
Topeka, Kansas 66612-1274
- 5.1.3 Applicants must respond by submitting all information requested in this guidance. Failure to submit all information requested will be deemed sufficient cause for disqualification of the application from further consideration.

- 5.1.4 An original and four (4) copies of the application packet are to be submitted. All copies will include the “Application for Grant” cover page and be single sided and unbound. Form can be found at http://www.kdheks.gov/doc_lib/index.html

5.2 Application Organization

The application should be assembled in the order shown below:

Form can be found at http://www.kdheks.gov/doc_lib/index.html under Grant Application Guidelines.

- Cover Page.
- “Application for Grant Attachment #1 (x/s)”
- “Program Request Form Attachment #2 (DOC)” listing objectives (see Section 2.4.3, Program Objectives)
- “Detailed Budget for Grant Funds Attachment # 3 (x./s)”
- Budget narrative
- Program narrative
- Appendices

5.3 Format Requirements for the Application

- 5.3.1 Applications must be typed on white paper with a one (1) inch margin and at least font size twelve (12) in Times New Roman or Courier typeface.
- 5.3.2 The application will not exceed fifteen (15) pages in length. This includes any referenced charts or figures but does not include the “Application for Grant ” cover page, the budget detail page, the budget narrative or appendices. Any application exceeding the maximum length of pages will be disqualified.
- 5.3.3 Each distinctive section of the program narrative will be titled.
- 5.3.4 Any attachments and supporting documents should be included as appendices.

5.4 Application Technical Assistance

- 5.4.1 Questions regarding the specifications, requirements and review process and requests for technical assistance in preparing the application should be directed to: Jane Stueve, Program Manager for the Community-Based Teenage Pregnancy Reduction Program, KDHE/BCYF, (785) 296-1308, e-mail: jstueve@kdhe.state.ks.us

5.4.2 Applicants are advised that the only official position of KDHE is that position which is stated within this Community-Based Teenage Pregnancy Reduction projects Grant Application Guidance. No other means of communication, whether oral or written, will be construed as a formal or official response or statement on behalf of KDHE.

5.4.3 Applicants are requested not to contact any other employee of the Department concerning the application and review process.

5.5 Application Review

5.5.1 KDHE staff will review and determine if the application is responsive to the requirements listed in this application guidance.

5.5.2 Application evaluators will conduct a comparative assessment of the strengths and deficiencies of those applications meeting the requirements. Criteria to be considered include past experience and reliability, expertise of personnel, description of community needs, description of education curriculum, local project's ability to meet unmet needs identified, appropriateness of the budget given the work plan, and budget justification. Funds will be awarded to agencies that have proven the ability to meet contractual agreements, including providing quality services effectively and efficiently.

5.6 Grant Award Notification

5.6.1 Any grant award announcement or contract offer resulting from this process will be in writing from KDHE on or about May 1, 2007.

5.6.2 KDHE reserves the right to allocate funds based on need in accordance with data and information available to the Department.

5.6.3 Applications are reviewed on a competitive basis, and, as a result, all applicants may not receive an award. KDHE reserves the right to accept any application, to reject any or all applications, in full or in part, and to waive irregularities and/or formalities as deemed appropriate.

ATTACHMENT I

Kansas Statute

65-1,158

Chapter 65.--PUBLIC HEALTH

Article 1.--SECRETARY OF HEALTH AND ENVIRONMENT, ACTIVITIES

65-1,158. Community-based teenage pregnancy reduction program; behavioral and educational objectives; grants, proposals and requirements, competitive awards and administration; duties of secretary; receipt of federal and other grants; rules and regulations. (a) The secretary of health and environment shall establish a

comprehensive community-based teenage pregnancy reduction program with the goal of reducing the rate of pregnancies among minors in urban and rural communities through the development of locally controlled community-based educational interventions to accomplish certain behavioral and educational objectives. The behavioral objectives of the program shall include delaying the onset of sexual activity and promotion of the value of sexual abstinence among minor females and males. The educational objectives of the program shall include training as many community members as possible to be able to assist minor females and males, who are 10 through 17 years of age, in: (1) Recognizing the value and importance of postponing sexual intercourse; (2) developing knowledge and attitudes which promote comfort in choosing not to participate in sexual intercourse; (3) preventing pregnancy by other means when the program has been unable to assist minor females and males in postponing or suspending sexual intercourse, including a description of the risks and benefits of different methods of contraception; (4) recognizing the personal, parental, familial, religious, legal, social and health consequences of irresponsible sexual decisions; (5) developing assertiveness skills to resist undue sexual pressure from peers and society; (6) improving self-concept and sense of worth and developing responsible behavior based on their family values; and (7) fostering communication within the family as well as an appreciation of the supportive role families can play in the life of each individual.

(b) Subject to the provisions of appropriation acts, the secretary of health and environment may award grants on a competitive basis to local public and private community groups and agencies, including but not limited to, counties, cities and other local governments, schools, colleges, universities, youth groups, 4-H clubs, local public health departments and local charitable, civic, religious, educational and other not-for-profit organizations, to provide locally controlled community-based educational interventions to accomplish the objectives of the program in accordance with this section. Each grant shall be for a three-year period, subject to available appropriations and successful annual reviews. In the initial year of the program, not more than three grant proposals shall be awarded, which shall be selected from among grant proposals from both urban and rural community locations.

(c) The secretary of health and environment shall adopt grant requirements in accordance with this section. Proposals for grants under this program shall include provisions for: (1) A community advisory group which shall include parents, school personnel, members of minority population groups, members of the clergy, religious laypersons, public health agency personnel, members of civic groups, public officials, members of health care provider professional groups, representatives of news media agencies and teenagers trained as peer educators; (2) a comprehensive media campaign which targets minors and their families; (3) a strong parent, daughter and son education program with emphasis on communication between parents, daughters and sons; (4) an outcome evaluation component provided from grant funds, which shall include a description and projection of the number of minors that the program will eventually serve and which shall include evaluation protocols prescribing criteria to measure intervention

effectiveness, in terms of reductions in the pregnancy rates for the community, and a mechanism to measure the processes of the interventions; (5) a 30% matching requirement from the community which may be satisfied on a cash or in-kind basis from private or public sources, including resources received under the department of education and program for at risk pupil assistance; (6) a three-year commitment to the program; (7) letters of commitment to continue the program after grant funding ends; and (8) the methods proposed for (A) integrating community values, morals and standards into the education message, (B) recruiting, selecting and training the educator participants, (C) recruiting, selecting and training the community member participants, and (D) recruiting, selecting and training peer educators, if applicable to the proposal. Each grant proposal shall illustrate the community need for this program and shall include the annual pregnancy rate for the community for each of the previous five years, including but not limited to the rate for females who are 10 through 17 years of age.

(d) The secretary of health and environment shall administer the community-based teenage pregnancy reduction program established under this section and shall advise and consult with the children and youth advisory committee established by K.S.A. 38-1401 and amendments thereto in establishing and administering the program, including the process of awarding and evaluating grants. The secretary of health and environment is hereby authorized to apply for and receive grants from federal agencies or from any other public or private sources for the purposes of the community-based teenage pregnancy reduction program established under this section.

(e) The secretary of health and environment may adopt rules and regulations for the administration of the program established under this section.

History: L. 1991, ch. 109, § 1; July 1.

ATTACHMENT II

Community Need

Kansas Counties with the Highest Pregnancy* Rates/1,000 Female Population, 2000 - 2004.

County	Rate/1,000 females (all ages) by year					
	2000	2001	2002	2003	2004	2000 - 2004
Geary County	91.1	95.7	100.3	102.6	100.8	97.9
Seward County	99.4	95.5	97.5	97.0	97.2	97.3
Ford County	91.1	89.9	86.5	98.3	85.7	90.3
Wyandotte County	88.9	89.9	93.3	88.4	89.9	90.1
Finney County	94.0	84.6	84.0	79.2	87.0	85.8
Sedgwick County	79.8	75.7	76.3	76.6	78.8	77.4
Hamilton County	76.0	82.6	83.3	68.6	71.4	76.5
Grant County	73.3	79.7	79.0	71.6	72.5	75.2
Stanton County	80.0	83.3	64.6	62.9	80.6	74.3
Haskell County	81.3	60.0	68.9	70.8	88.4	73.8
Johnson County	69.0	70.5	69.3	71.7	72.1	70.5
Shawnee County	70.0	68.7	71.6	70.5	71.9	70.5
Morton County	75.8	76.9	78.5	51.1	67.8	70.3
Stevens County	75.1	69.3	65.0	68.0	71.0	69.7
Gray County	70.1	69.4	65.7	66.4	72.7	68.8
Saline County	66.3	67.9	66.3	65.5	70.0	67.2
Reno County	68.6	66.9	67.1	63.7	69.1	67.1
Wichita County	51.6	49.7	67.0	70.7	98.0	66.8
Bourbon County	64.7	61.0	69.3	69.0	69.4	66.7
Brown County	68.8	62.9	69.0	62.4	68.7	66.3
Kansas	68.7	67.6	68.3	68.2	69.0	68.3

*Total Pregnancies is the sum of live births, reported abortions and stillbirths

Data Source: Kansas Information for Communities, Center for Health & Environmental Statistics, KDHE
<http://kic.kdhe.state.ks.us/kic/>

Teen Pregnancy** Rates (Ages 10-17) By County*, Kansas, 2004

All Races and Ethnicities

County	Number	Rate/1,000
Seward County	38	27.2
Wyandotte County	207	22.7
Ford County	40	19.4
Geary County	28	19.3
Finney County	46	17.4
Lyon County	28	15.1
Shawnee County	122	13.6
Sedgwick County	366	13.5

Teen Live Birth Rates (Ages 10-17) By County*, Kansas, 2004

Hispanic Ethnicity

County	Number	Rate/1,000
Seward	29	37.3
Shawnee	27	28.0
Ford	24	23.9
Sedgwick	72	22.5
Finney	32	22.4
Wyandotte	39	19.4
Johnson	25	17.8

All Races and Ethnicities (Cont.)

Crawford County	21	12.2
Saline County	28	9.6
Leavenworth County	33	7.9
Reno County	25	7.9
Douglas County	32	7.4
Butler County	27	7.0
Johnson County	148	5.3
Kansas	1563	10.3

Black Race

County	Number	Rate/1,000
Sedgwick	70	19.6
Shawnee	23	19.2
Wyandotte	61	18.7

Data Source: Center for Health &
Environmental Statistics, KDHE

*Counties were included with at least 20 pregnancies or live births for rate stability.

**Total Pregnancies is the sum of live births, reported abortions and stillbirths.

Data Source: Teenage Pregnancy Summary, Center for Health & Environmental Statistics, KDHE
<http://www.kdheks.gov/ches/index.html>

Counties with the Highest Percent of Persons (All Ages) in Poverty, 2004

Wyandotte County	17.6
Crawford County	16.4
Cherokee County	15.6
Elk County	15.6
Riley County	15.6
Bourbon County	15.2
Allen County	14.6
Labette County	14.6
Montgomery County	14.5
Chautauqua County	14.4
Cowley County	14.4
Lyon County	14.1
Neosho County	14.0
Finney County	13.9
Seward County	13.9
Sherman County	13.8
Woodson County	13.8
Wilson County	13.7
Brown County	13.4
Reno County	13.4
Kansas Average	11.1

Percent of Pregnancies (all ages) Where the Mother had less than a High school Education, Kansas, 2000-2004, by County

County	Percent
Seward County	44.6
Finney County	44.4
Grant County	43.2

Percent of Pregnancies (all ages) Where the Mother had less than a High school Education,

Kansas, 2000-2004, by County (cont.)

Gray County	42.2
Ford County	39.6
Kearny County	38.5
Hamilton County	37.4
Haskell County	36.7
Wichita County	35.8
Stevens County	32.5
Stanton County	32.0
Wyandotte County	29.9
Edwards County	29.1
Greeley County	28.7
Morton County	27.7
Lyon County	26.7
Meade County	26.4
Barton County	25.9
Scott County	24.3
Stafford County	22.6
Kansas Average	18.1

Data Source: Center for Health & Environmental Statistics, KDHE

ATTACHMENT III

OUTLINE OF REPORTING INSTRUCTIONS:

Reports required for grants/contracts awarded to Local Agencies for State Fiscal Year 2006 are explained in the following material. Reporting requirements have been revised in order to meet individual program requirements.

The quarterly/semi-annual program and fiscal report (Certified Affidavit of Expenditures) should be viewed as one report. The material that makes up the report should all be submitted at the same time because program and fiscal staff will make a joint review. Future payments will not be made until the total report is received and approved.

The reporting periods should be on a schedule corresponding with the funding period that is the State Fiscal Year (SFY July 1 through June 30). The suggested reporting schedule is as follows:

REPORTING SCHEDULE

1st Quarter	7/1 to 9/30	REPORT DUE	October 15 th
2nd Quarter	10/1 to 12/31	REPORT DUE	January 15 th
3rd Quarter	1/1 to 3/31	REPORT DUE	April 15 th
4th Quarter	4/1 to 6/30	REPORT DUE	July 15 th

The following instructions are for developing and submitting the quarterly/semi-annual reports.

Quarterly fiscal reports (**Certified Expenditure Affidavit**) are due at Department of Health and Environment **by the 15th of the month following the quarter**, e.g., July - September, due October 15th. No annual reports are required. Program reports should be submitted as specified within each Contract Attachment / Notice of Grant Award Amount & Summary of Program Objectives.

Unless indicated otherwise, **submit two (2) copies (ORIGINAL PLUS 1 COPY) of the program/fiscal reports are to be mailed to:**

Kevin Shaughnessy, Accountant
Internal Management/Accounting Services
1000 Jackson Ave, Suite 570
Department of Health and Environment
Topeka, KS 66612-1368
(785) 296-1507

ATTACHMENT IV

CONTRACTUAL PROVISIONS ATTACHMENT

Important: This form contains mandatory contract provisions and must be attached to or incorporated in all copies of any contractual agreement. If it is attached to the vendor/contractor's standard contract form, then that form must be altered to contain the following provision:

"The Provisions found in Contractual Provisions Attachment (Form DA-146a, Rev. 1-01), which is attached hereto, are hereby incorporated in this contract and made a part thereof."

The parties agree that the following provisions are hereby incorporated into the contract to which it is attached and made a part thereof, said contract being the _____ day of _____, 20_____.

1. **Terms Herein Controlling Provisions:** It is expressly agreed that the terms of each and every provision in this attachment shall prevail and control over the terms of any other conflicting provision in any other document relating to and a part of the contract in which this attachment is incorporated.
2. **Agreement With Kansas Law:** All contractual agreements shall be subject to, governed by, and construed according to the laws of the State of Kansas.
3. **Termination Due To Lack Of Funding Appropriation:** If, in the judgment of the Director of Accounts and Reports, Department of Administration, sufficient funds are not appropriated to continue the function performed in this agreement and for the payment of the charges hereunder, State may terminate this agreement at the end of its current fiscal year. State agrees to give written notice of termination to contractor at least 30 days prior to the end of its current fiscal year, and shall give such notice for a greater period prior to the end of such fiscal year as may be provided in this contract, except that such notice shall not be required prior to 90 days before the end of such fiscal year. Contractor shall have the right, at the end of such fiscal year, to take possession of any equipment provided State under the contract. State will pay to the contractor all regular contractual payments incurred through the end of such fiscal year, plus contractual charges incidental to the return of any such equipment. Upon termination of the agreement by State, title to any such equipment shall revert to contractor at the end of State's current fiscal year. The termination of the contract pursuant to this paragraph shall not cause any penalty to be charged to the agency or the contractor.
4. **Disclaimer Of Liability:** Neither the State of Kansas nor any agency thereof shall hold harmless or indemnify any contractor beyond that liability incurred under the Kansas Tort Claims Act (K.S.A. 75-6101 et seq.).
5. **Anti-Discrimination Clause:** The contractor agrees: (a) to comply with the Kansas Act Against Discrimination (K.S.A. 44-1001 et seq.) and the Kansas Age Discrimination in Employment Act (K.S.A. 44-1111 et seq.) and the applicable provisions of the Americans With Disabilities Act (42 U.S.C. 12101 et seq.) (ADA) and to not discriminate against any person because of race, religion, color, sex, disability, national origin or ancestry, or age in the admission or access to, or treatment or employment in, its programs or activities; (b) to include in all solicitations or advertisements for employees, the phrase "equal opportunity employer"; (c) to comply with the reporting requirements set out at K.S.A. 44-1031 and K.S.A. 44-1116; (d) to include those provisions in every subcontract or purchase order so that they are binding upon such subcontractor or vendor; (e) that a failure to comply with the reporting requirements of (c) above or if the contractor is found guilty of any violation of such acts by the Kansas Human Rights Commission, such violation shall constitute a breach of contract and the contract may be cancelled, terminated or suspended, in whole or in part, by the contracting state agency or the Kansas Department of Administration; (f) if it is determined that the contractor has violated applicable provisions of ADA, such violation shall constitute a breach of contract and the contract may be cancelled, terminated or suspended, in whole or in part, by the contracting state agency or the Kansas Department of Administration.

Parties to this contract understand that the provisions of this paragraph number 5 (with the exception of those provisions relating to the ADA) are not applicable to a contractor who employs fewer than four employees during the term of such contract or whose contracts with the contracting state agency cumulatively total \$5,000 or less during the fiscal year of such agency.
6. **Acceptance Of Contract:** This contract shall not be considered accepted, approved or otherwise effective until the statutorily required approvals and certifications have been given.
7. **Arbitration, Damages, Warranties:** Notwithstanding any language to the contrary, no interpretation shall be allowed to find the State or any agency thereof has agreed to binding arbitration, or the payment of damages or penalties upon the occurrence of a contingency. Further, the State of Kansas shall not agree to pay attorney fees and late payment charges beyond those available under the Kansas Prompt Payment Act (K.S.A. 75-6403), and no provision will be given effect which attempts to exclude, modify, disclaim or otherwise attempt to limit implied warranties of merchantability and fitness for a particular purpose.
8. **Representative's Authority To Contract:** By signing this contract, the representative of the contractor thereby represents that such person is duly authorized by the contractor to execute this contract on behalf of the contractor and that the contractor agrees to be bound by the provisions thereof.
9. **Responsibility For Taxes:** The State of Kansas shall not be responsible for, nor indemnify a contractor for, any federal, state or local taxes which may be imposed or levied upon the subject matter of this contract.
10. **Insurance:** The State of Kansas shall not be required to purchase, any insurance against loss or damage to any personal property to which this contract relates, nor shall this contract require the State to establish a "self-insurance"

fund to protect against any such loss or damage. Subject to the provisions of the Kansas Tort Claims Act (K.S.A. 75-6101 et seq.), the vendor or lessor shall bear the risk of any loss or damage to any personal property in which vendor or lessor holds title.

11. **Information:** No provision of this contract shall be construed as limiting the Legislative Division of Post Audit from having access to information pursuant to K.S.A. 46-1101 et seq.
12. **The Eleventh Amendment:** "The Eleventh Amendment is an inherent and incumbent protection with the State of Kansas and need not be reserved, but prudence requires the State to reiterate that nothing related to this contract shall be deemed a waiver of the Eleventh Amendment."